

**DESIGN DEVELOPMENT OPTION (DDO)  
APPLICATION PACKET**

**FOR  
MODIFICATIONS TO BUILDING SETBACKS AND/OR  
WALL/FENCE HEIGHT**



CITY OF  
TUCSON

## DESIGN DEVELOPMENT OPTION (DDO) APPLICATION (FOR BUILDING SETBACK AND WALL/FENCE HEIGHT)

This application must be filed at Planning and Development Services Department, Public Works Building, Second Floor, 201 North Stone Avenue, Tucson, Arizona. To be accepted for processing, the application must be complete, accurate, and legible and must be accompanied by the appropriate plans, documentation, and fees. Poorly prepared or incomplete applications will not be processed and will be returned to the applicant. Please make your check or money order payable to the "City of Tucson."

### GENERAL INFORMATION

If you have any questions regarding the application, materials and/or the process, please contact staff for assistance. **Call (520) 837-4963 to reach Michael Taku** or (520) 837-4962 to reach Frank Podgorski.

Generally, we are in the office and available to assist you in person, via the telephone or email Monday through Friday from 8:00 A.M. until 5:00 P.M. However, to better serve you, we ask that when possible you call to ensure our availability before stopping by the Planning and Development Services Department at 201 North Stone Avenue, Second Floor North.

### PLEASE MAKE NOTE OF THE FOLLOWING:

1. A DDO is a request to allow minor changes to the standard requirements that would allow:  
(a) a reduced "setback"-the minimum distance between a building and the property line and/or (b) an increase in the height of walls and fences. A DDO cannot waive or delete requirements of the *Land Use Code*.
2. A pre-application meeting with staff is **strongly** encouraged. This will allow staff an opportunity to review your request before submittal and to determine its appropriateness for the DDO process. Please call to schedule an appointment. Prior to submittal to the City, applicants are encouraged to discuss the project with potential affected neighbors.
3. All projects must first be submitted for Zoning Compliance Review on the first floor of Planning and Development Services Department. For residential projects, Zoning Compliance Review Staff will provide you with written comments in a memo, letter or other separate signed referral to DDO Staff. For non-residential projects, DDO comments from computerized printout forms attached to the second site review record must be provided.
4. For projects involving a 2-Story New Residence and/or Addition, please note: Applicants must demonstrate to staff how LUC sections 5.3.4.3 F, H, I, K, M and N are satisfied, otherwise, 2-Story structures must be "as-of- right" development. A DDO is only used to implement alternate design solutions, not to allow larger structures in predominately one-story neighborhoods.
5. For any requested building setback modification of less than three (3') feet, Residential Review Staff stamp/approval on each of the three (3) site plans is required.
6. Application submittals are BY APPOINTMENT ONLY. Please allow up to 15 minutes for staff to review your application for completeness and acceptance. You **MAY NOT** drop-off your application.

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Mailing Address:	Planning and Development Services Department Location:	Public Works Building
	P. O. Box 27210	201 N. Stone Ave
	Tucson, AZ 85726-7210	
Phone:	(520) 791 5550	Fax: (520) 791-5852

## **DESIGN DEVELOPMENT OPTION (DDO) FOR BUILDING SETBACK AND WALL/FENCE HEIGHT SUBMITTAL CHECKLIST**

A complete Design Development Option (DDO) submittal must contain all of the items listed below. Please review this checklist to make sure your submittal is complete. Incomplete and poorly prepared submittals will be returned to the applicant. Submittals are accepted by appointment only.

- \_\_\_ Submittal Appointment: Contact **Michael Taku at (520) 837-4963** or Frank Podgorski at (520) 837-4962 to schedule an appointment.
  
- \_\_\_ Final Land Use Code (LUC) zoning review comments from Zoning Compliance Review Section, Planning and Development Services Department, 1<sup>st</sup> Floor, 201 N. Stone Avenue.
  
- \_\_\_ One (1) DDO Application Form (Completed in full, signed by the Property Owner and Agent; if submitted by Authorized Agent-Attach Letter of Agency/Authorization).
  
- \_\_\_ One (1) Project Description and DDO Request by the applicant
  
- \_\_\_ Three (3) Folded Copies of project Site Plan initialed and dated by Zoning Review Staff\*
  
- \_\_\_ Three (3) Folded Copies of project Building Elevation Drawings for Existing Residence and New Addition(s)\*
  
- \_\_\_ If Full Size Plans are provided include one (1) each of site and elevation at 11"x17".
  
- \_\_\_ One (1) Folded Copy of Floor Plan for Existing Residence with New Addition(s). \*
  
- \_\_\_ One (1) Copy of the Pima County Assessor's Property Information showing ownership of the property. (You must get the current copy from Pima County Assessor's Office, 115 North Church Avenue). Or download the information from the Assessor's Office website: [www.asr.pima.co.az.us](http://www.asr.pima.co.az.us)
  
- \_\_\_ One (1) Copy of the Pima County Assessor's Lot and Block Map of the Property showing location and boundaries of the property. (See previous direction).
  
- \_\_\_ Three (3) Folded Copies of project Wall Section for Wall/Fence Height Modification (if applicable)
  
- \_\_\_ DDO Review Fees: Make Check or Money Order Payable to the "City of Tucson".  
\*All plans must be folded to the attached City's standards. See attached instructions for folding.

The City of Tucson: Planning and Development Services Department, Land Use Code Administration Division is located on the Second Floor, north side of 201 North Stone Avenue in Tucson, AZ. The mailing address is P.O. Box 27210, Tucson, AZ 85726-7210. To reach the department operator, dial (520) 791-5550 and select '0'. Fax: (520) 791-5852.

## DESIGN DEVELOPMENT OPTION APPLICATION

Please assist us in processing your application by submitting a complete, accurate and legible application accompanied by the appropriate plans, documentation and fees.

Date submitted: \_\_\_\_\_ Date accepted: \_\_\_\_\_ Case Number: DDO \_\_\_\_\_

PROJECT TYPE (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> New Building on Vacant Land       | <input type="checkbox"/> New Addition/Existing Nonresidential Building |
| <input type="checkbox"/> New Addition to Existing Building | <input type="checkbox"/> Change of Use to existing Building            |
| <input type="checkbox"/> Existing Building needs Permits   | <input type="checkbox"/> Modification to Wall/Fence Height             |
| <input type="checkbox"/> Other (Explain) _____             |  |

Related Project Case Number(s): \_\_\_\_\_

(For example: Board of Adjustment, Community Design Review Committee, Design Review Board, Zoning Violation, Historic Preservation Zone, etc.)

### PROPERTY INFORMATION

Property Owner/s: \_\_\_\_\_ Zoning of Property: \_\_\_\_\_  
(R-1, R-2, RX-1, SR, O-3, C-2, I-1, Etc.)

Project Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Project Description: \_\_\_\_\_

Number of Existing Buildings: \_\_\_\_\_ Number of Stories: \_\_\_\_\_ Height: \_\_\_\_\_

Square Footage of Property: \_\_\_\_\_ Property Tax ID Number: \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

### APPLICANT INFORMATION

Agent/Applicant: \_\_\_\_\_

Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Bus. Phone: (     ) \_\_\_\_\_ - \_\_\_\_\_ Fax: (     ) \_\_\_\_\_ - \_\_\_\_\_

Business Email: \_\_\_\_\_

Property Owner/s: \_\_\_\_\_

Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: (     ) \_\_\_\_\_ - \_\_\_\_\_ Fax: (     ) \_\_\_\_\_ - \_\_\_\_\_

Signature of Owner/s: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Applicant/Agent: \_\_\_\_\_ Date: \_\_\_\_\_

## PROJECT DESCRIPTION AND DDO REQUEST

Use the space below to adequately describe the project in your own words, state what is required and what is proposed/provided for each DDO requested, the reason(s) for the modification, the reasons why the modification would be compatible with neighborhood and state if this is to abate a pending zoning violation and/or court order. Please note that your application will be evaluated based on compliance with the attached DDO findings for approval per LUC Section 5.3.4.3. Please Type (preferred) or write legibly in Black Ink.

[illegible]

### **LUC SECTION 5.3.4.3 “DDO REQUIRED FINDINGS”**

Findings for Approval. The Planning and Development Services Department Director may approve a modification to a Development Designator requirement as provided by this Section, if all the following findings are made. (Ord. No. 9967, §5, 7/1/04)

- A. The modification is not a request previously denied as a variance. (Ord. No. 9179, §1, 12/14/98)
- B. The modification is to a Development Designator provision and not to performance criteria that apply to the use within the zone, i.e., a setback requirement greater than required under the Development Designator provisions for the land use.
- C. The modification is to the Development Designator provisions and not to performance criteria required of a Special Exception Land Use in order for such use to be allowed in the zone, i.e., a building height less than required under the general provisions of the zone.
- D. The modification is not to a requirement of an overlay zone, such as, but not limited to, Scenic Corridor, Environmental Resource, Major Streets and Routes Setback, or Airport Environs.
- E. The modification is not to a setback requirement of a Flexible Lot Development (FLD). The FLD already provides less stringent standards than those applicable to other development. (Ord. No. 10636, §15, 2/24/09)
- F. The modification applies to property that cannot be developed in conformity with the provisions of this Chapter due to physical circumstances or conditions of the property, such as irregular shape, narrowness of lot, or exceptional topographic conditions.
- G. The modification does not delete or waive an *LUC* requirement but provides an alternate solution.
- H. The modification does not create a situation where the proposed development substantially reduces the amount of privacy which would be enjoyed by nearby residents any more than would be available if the development was built without the modification.
- I. The modification does not create a situation where proposed development will obstruct significant views of dramatic land forms, unusual stands of vegetation, or parks from nearby properties substantially more than would occur if the development were built without the modification.
- J. The modification does not create a situation where proposed development will block visibility on adjoining streets for either vehicular or pedestrian traffic.
- K. The modification does not create a situation where the proposed development will interfere with the optimum air temperature/solar radiation orientation of buildings on adjoining properties substantially more than would occur if the buildings or structures were built without the modification.

- L. The modification does not create a situation where the proposed use of the property will impose objectionable noise levels on adjoining properties greater than would occur if the buildings or structures were built without the modification.
- M. The modification is designed to mitigate any negative impacts that may be created by the modification.
- N. The modification does not create a situation where the development will result in an increase in the number of residential dwelling units or the square footage of nonresidential buildings greater than would occur if the development was built without the modification.
- O. The modification does not reduce the setback from a street to less than is allowed under the provisions of Sec. 3.2.6.5.B.
- P. The modification is not for an increase in height of more than two (2) feet to an accessory wall or fence, except that an increase of up to four (4) feet may be considered for entry features on walls and fences.

# **DEVELOPMENT REVIEW FEE SCHEDULE FOR DESIGN DEVELOPMENT OPTION (DDO) APPLICATIONS**

## **DDO Applicable Fees as per DEVELOPMENT STANDARD NO.1-05.4.2**

### **A) Residential Development Projects:**

#### **1. DDO for Single Yard Modification or One (1) Setback**

a. Staff Review Per Single Family Lot, Attached or Detached Unit.....	\$ 176.00
b. Notification of Property Owners Within 50' of Project Site & Neighborhood Association .....	\$ 82.50
c. Microfiche Fee .....	<u>\$ 16.50</u>
<b>Total Fees</b>	<b>\$ 275.00</b>

#### **DDO for each Multifamily Unit or One (1) Setback**

a. Staff Review: For each Multifamily Unit (Duplex).....	\$ 352.00
b. Notification of Property Owners Within 50' of Project Site & Neighborhood Association.....	\$ 82.50
c. Microfiche Fee .....	<u>\$ 16.50</u>
<b>Total Fees</b>	<b>\$ 451.00</b>

#### **2. DDO for Multiple Yard Modification or Two (2) or more Setbacks**

a. Staff Review: Per Single Family Lot attached or detached unit .....	\$ 246.40
b. Notification of Property Owners Within 50' of Project Site & Neighborhood Association.....	\$ 82.50
c. Microfiche Fee .....	<u>\$ 16.50</u>
<b>Total Fees</b>	<b>\$ 345.40</b>

#### **DDO for Multiple Yard Modification or Two (2) or more Setbacks**

a. Staff Review: Per Multifamily Unit (Duplex) .....	\$ 352.00
b. Notification of Property Owners & Within 50' of Project Site Neighborhood Association....	\$ 82.50
c. Microfiche Fee .....	<u>\$ 16.50</u>
<b>Total Fees</b>	<b>\$ 451.00</b>

### **B) Non-Residential Development Projects (Triplex and above, Commercial, Industrial):**

#### **1. DDO for Single Yard Modification or One (1) Setback**

a. Staff Review: Per Single Nonresidential Structure on one Lot .....	\$ 176.00
b. Notification of Property Owners Within 50' of Project Site & Neighborhood Association .....	\$ 82.50
c. Microfiche Fee .....	<u>\$ 16.50</u>
<b>Total Fees</b>	<b>\$ 275.00</b>

#### **2. DDO for Multiple Yard Modification or Two (2) or more Setbacks**

a. Staff Review: Per Single Nonresidential Structure on one Lot .....	\$ 246.40
b. Notification of Property Owners Within 50' of Project Site & Neighborhood Association .....	\$ 82.50
c. Microfiche Fee .....	<u>\$ 16.50</u>
<b>Total Fees</b>	<b>\$ 345.40</b>

#### **DDO for Two (2) or more Setbacks**

a. Staff Review: Per Multiple Nonresidential Structure on one lot.....	\$ 352.00
b. Notification of Property Owners Within 50' of Project Site & Neighborhood Association.....	\$ 82.50
c. Microfiche Fee .....	<u>\$ 16.50</u>
<b>Total Fees</b>	<b>\$ 451.00</b>

### **C) Wall and Fence Height Modification, Per lot**

a. Staff Review: Per Lot .....	\$ 220.00
b. Notification of Property Owners Within 50' of Project Site & Neighborhood Association.....	\$ 82.50
c. Microfiche Fee.....	<u>\$ 16.50</u>
<b>Total Fees</b>	<b>\$ 319.00</b>

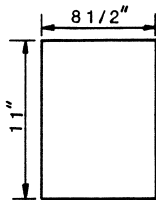
Note: Fees can be paid by checks or money order, made payable to the City of Tucson, or cash, or credit/debit cards are accepted. Application cannot be processed without Full Payment of all applicable Review Fees.



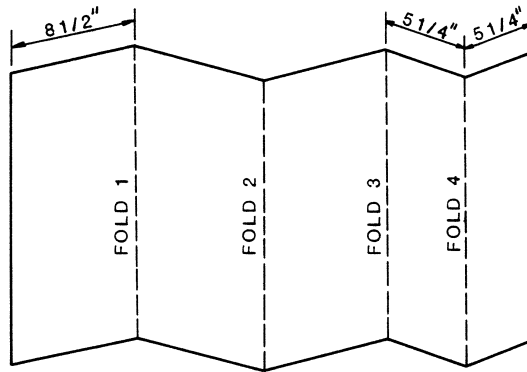
# INSTRUCTIONS FOR FOLDING PLANS TO ACCEPTABLE CITY STANDARDS OF (8 1/2" X 11")

## STEP 1

Using an 8 1/2" X 11" size sheet of paper as a guide, make folds 1, 2, and 3.



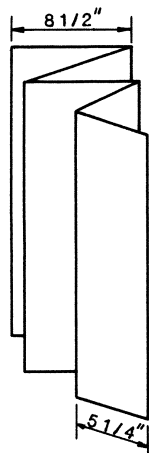
This instruction sheet is 8 1/2" X 11" size.



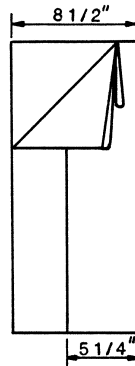
## STEP 2

Fold the remaining 10 1/2" in half; this completes fold number 4.

## STEP 3

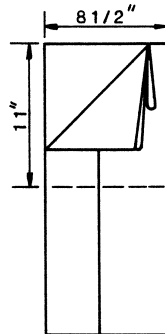


With the 5 1/4" fold to the right

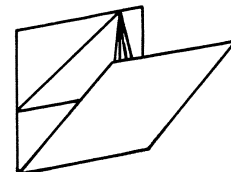


Fold down the corner, all but the last panel.

## STEP 4

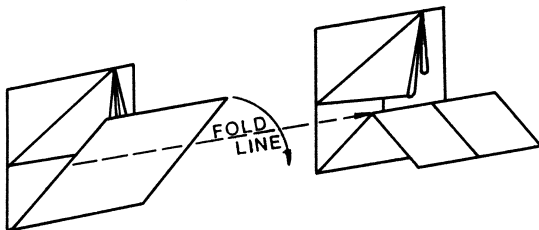


FOLD LINE



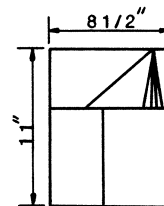
Fold the lower portion up.

## STEP 5



Fold the front part in half.

## STEP 6



The folded print should be 8 1/2" X 11".



Planning & Development Services Department  
201 N. Stone Avenue  
PO Box 27210  
Tucson, AZ 85726  
(520) 791-5550

### Letter of Agency/Authorization

*If the applicant is not the owner of record of the subject site, a Letter of Agency from the owner or the owner's authorized representative must be submitted which grants the applicant permission to submit an application for the requested entitlement(s).*

Date: \_\_\_\_\_

To:

City of Tucson  
Planning & Development Services Department  
Zoning Administration Division  
PO Box 27210  
Tucson, AZ 85726

Planning & Development Services Department:

I, the undersigned legal owner of record, hereby grant permission to:

Applicant: \_\_\_\_\_

Phone:

\_\_\_\_\_

Applicant's Address:

\_\_\_\_\_

\_\_\_\_\_

To submit a Design Development Option (DDO) application on my behalf.

The subject property located at:	
Assessor's Parcel Number:	
Printed Name of Owner of Record:	
Address of Owner of Record:	
Phone Number of Owner of Record:	
Signature of Owner of Record: (must be original signature)	

## **EXPLANATION OF APPLICATION ITEMS**

### **INTRODUCTION**

The following explanations will provide the information needed to complete the Design Development Option (DDO) Application for Building Setbacks and/or Wall/Fences Height modification submittal requirements in a manner that staff will deem acceptable for processing. Please read the explanations thoroughly and follow them exactly as provided. If you vary from any of these explanations you run the risk of having your application submittal rejected by staff. If you have any questions regarding this application process, call Planning and Development Services Department (PDSD) Land Use Compliance Administration Division staff at 837 4963 or at 837 4962 and ask for help.

### **EXPLANATIONS (Listed Alphabetically)**

**APPEAL OF DDO DECISION:** The decision rendered by the Planning and Development Services Department may be appealed to the Board of Adjustment (B/A) by a party of record (appellant). A written notice of “Intent to Appeal” must be submitted by the appellant to LUC Administration Division within five (5) days of the DDO decision date. The appeal application materials, including relevant fees, must be filed with LUC B/A Section staff within thirty (30) days of the DDO decision date. For more information on the DDO Appeal application process contact LUC Administration B/A Section staff at 837-4948 or DDO staff at 8374963 within five (5) days of the DDO decision date.

**APPLICATION FORM:** The Design Development Option (DDO) application form must be completed in its entirety and signed by property owner or authorized agent. If submitted by an agent, please, include a letter from the property owner authorizing the agent to act on their behalf. It is the responsibility of the applicant to provide full and complete information on the project. If you have any questions on completing this form just call DDO staff at 520 837 4963.

**BOARD OF ADJUSTMENT (B/A):** The Board of Adjustment (B/A) hears and decides requests for variances from the provisions of the *Land Use Code (LUC)*, including appeals to Design Development Option (DDO) decisions rendered by the Director of the Planning and Development Services Department. The B/A is a semi-judicial body comprised of lay people appointed by the Mayor and Council. Decisions by the Board of Adjustment (B/A) can be appealed to Pima County Superior Court. Given the legal nature of this zoning process it is important that the appellant follow the submittal steps exactly as provided in the DDO appeal packet.

**DDO SUBMITTAL ITEMS:** Refer to the DDO checklist for submittal requirements.

**DDO REVIEW FEES:** Refer to current Development Review Fee schedule herein.

**DEVELOPMENT STANDARD:** Defines how property may be built (lot size, building height, setback, parking standards, landscaping etc) that apply within a particular zone. If a property owner feels that one or more of these standards imposes a hardship, then, owner can request to be excused from strictly complying with that requirement. This request is called a special permit or variance (because if granted/approved, the owner is allowed to “vary” from the rules that usually apply). In the case of this special development application (DDO), the owner will be applying for a special permit (administrative variance) to vary from building setback and/or wall/fence height requirement.

**ELEVATION DRAWINGS:** It is a drawing of each side of a building: front, sides and rear. For modifications to the building setbacks, include elevation drawings for all the sides affected by the existing and/or new addition(s). For fence/wall height modifications, submit cross-section of the proposed wall.

**FINAL LUC (Zoning) COMPLIANCE REVIEW COMMENTS:** Submit detailed site, elevation, floor plans and wall section (if applicable) for compliance review to Planning and Development Services Department (PDSD), First Floor City/County Public Works Building, 201 N. Stone Avenue. The initial compliance review will result in a set of preliminary comments from zoning review staff, which identifies *Code* deficiencies applicable to the project. Revise the plans per the comments and resubmit per the usual plan review submittal process. To obtain final *LUC* review comments, for the DDO application, provide Zoning Review staff with three (3) copies of the revised plans. Zoning Review staff will initial and date each of the three (3) copies of site plan, building elevations and a floor plan, then, will write the DDO comments in a word document and hand to the applicant.

**Note:** DDO application cannot be filed prior to obtaining “Final” LUC compliance review comments as it could delay plan approval, should additional LUC deficiencies become noted during subsequent reviews.

**FLOOR PLANS:** All submittals that include modifications to residential and non-residential projects must include floor plans. A floor plan is a diagram, usually to scale, of the relationship between rooms, spaces and other physical features at one level of a structure.

**HISTORIC PRESERVATION OVERLAY ZONE:** The Historic Preservation Zone (HPZ) process reviews all projects located within a local HPZ for compliance with the LUC Section 2.8.8 and the design criteria established in DS 9-08.0. If your project is located within a local HPZ, building setbacks modifications may be processed and waived through the HPZ review, instead of the DDO process. Note that wall/fence height modifications cannot be processed as part of HPZ review process.

**LETTER OF AGENCY/AUTHORIZATION:** If the applicant is not the owner of record of the subject site, a Letter of Agency/Authorization from the owner or the owner’s authorized representative must be submitted which grants the applicant permission to submit a DDO application to the Zoning Administration Division.

**NOTICE TO AFFECTED PARTIES:** Although this step is optional for applicants, staff strongly encourages applicant to offer to meet with the parties affected by the DDO request, prior to submitting the DDO application. The affected parties include: owners of real property within fifty (50') feet of the project site boundaries; representatives of the registered Neighborhood

Association in whose boundaries the site is located; and, the Council Office in whose Ward the site is located.

This meeting is an opportunity to explain the project and potential impacts on the affected parties and neighborhood character. The discussion may include but not limited to project location; the nature of the project; the design/modification options being requested and why the design/modification option is needed. It is the responsibility of the affected parties to provide comments to the application and/or the City in a timely manner.

Upon accepting your application, the City will send a “Notice of Zoning Application” to affected parties as identified above.

**PIMA COUNTY ASSESSOR'S PROPERTY INFORMATION AND LOT/RECORD MAP:** The application submittal must include a copy of the project site Property Information and Lot and Record Map. Both are available at the Pima County Assessor's Office for a small fee. The Assessor's Office is located at 115 North Church and is east of City Hall. Or you may download the information from the Assessor's Office website: [www.asr.pima.co.az.us](http://www.asr.pima.co.az.us)

- If new owner of property, submit copy of Warranty Deed as proof of conveyance.
- The property Information and record map must match what is shown on the site plan.
- For DDO processing, adjacent property that is under the same ownership as the site is considered as “congruent”, thus, may vary notification radius.
- The Property Information verifies for staff the current ownership of the property.
- The Lot and Record Map verifies for staff the location and boundaries of the property.

**Important Note:** Substitute documents obtained from sources other than the Assessor's Office will not be accepted by PDS Land Use Compliance Administration staff. Property Information printouts and Record Maps more than six months old will not be accepted.

**PRE-APPLICATION REVIEW:** Potential Design Development Option (DDO) applicants are strongly encouraged to meet with staff before submittal. This meeting is to allow staff an opportunity for a preliminary review of the proposed design and development of the project to determine if the project qualifies for the DDO process.

**SITE PLAN:** The site plan must be the same detailed plans reviewed by PDS for the LUC compliance review process. Staff must be notified if the site plan submitted with the application is different from the site plan submitted to generate the final LUC compliance review comments. For purposes of the LUC, it is a drawing of a project site that provides detailed information which shows how a proposed project will be developed in compliance with City regulations.

**VARIANCE:** A variance is a request to vary the provision of the Land Use Code and is not intended as a method of deleting or waiving the LUC requirement but intended to provide alternate solution. The City Land Use Code recognizes that the strict application of the development standard for a particular zone, when applied to properties on a citywide basis, occasionally results in a practical difficulty or unnecessary hardship for some owners. Therefore, special development applications are created to provide alternative procedures through which relief from the LUC can be requested.

**ZONING:** Zoning is a common land–use control tool available to the municipality to effectuate its land use plans. Zoning map divides the community into a number of zones. Zoning text specifies what may be constructed in each zone and to what uses structures may be put. Zoning regulates what uses can go where and the development standard to which new development must

be built. Zoning ordinance acquires its legal force once adopted by the community's legislative body (in Tucson, by Mayor and Council).

When in doubt, call PDSD Land Use Compliance Administration Staff at (520) 837-4963 or (520) 837- 4962.

REMEMBER ALL SUBMITTALS ARE FILED BY APPOINTMENT ONLY WITH THE  
LAND USE COMPLIANCE ADMINISTRATION STAFF,SECOND FLOOR- NORTH, 201 N.  
STONE AVENUE